

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:15-CR-23-FL-3

UNITED STATES OF AMERICA :
 :
 v. :
 :
 BRUCE ALAN SMITH, JR. :

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement entered into by the defendant on June 18, 2015, and further evidence of record and as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 21 U.S.C. § 853, to wit:

- United States currency in the amount of \$68,000.00,
- United States currency in the amount of \$4,000.00,
- United States currency in the amount of \$415.00,
- United States currency in the amount of \$15,710.00,
- United States currency in the amount of \$22,830.00,
- Ruger, model 44 mag, bearing serial number 82-46327,
- Rossi, model M971, 375 caliber handgun, bearing serial number F113878,
- Colt, 38 caliber handgun, bearing serial number C47855,
- Olympic Arms, model AR-15, 223 caliber rifle, bearing

serial number TB 2996,

- Norinco, model Mak-90 Sporter, 762 caliber rifle, bearing serial number 9451379,
- H&R, model 865, 22 caliber rifle, serial number unknown,
- Marlin, 22 caliber rifle, bearing serial number 05095313,
- Henry, 22 caliber rifle, bearing serial number GB245699,
- Zastava, AK-47, 762 caliber rifle, bearing serial number M70AB21739,
- Winchester, model 22 short-long, bearing serial number 642557,
- Remington, model 700, 270 caliber rifle, bearing serial number C6430809,
- Remington, model 700, 7mm caliber rifle, bearing serial number C6605845,
- Wasr, model 10/63, 762 caliber rifle, bearing serial number 1970CO1579,
- US Carbine, 30 caliber rifle, bearing serial number 28177,
- Marlin, model 25 MN, 22 caliber rifle, bearing serial number 98611199,
- Ruger, model 10/22, 22 caliber rifle, bearing serial number 257-11925,
- Charles Daly, 12 gauge shotgun, bearing serial number 3121543,
- Magtech, 12 gauge shotgun, bearing serial number 97724,
- Revelation, model 350, bearing serial number P686499,
- Remington, model 1100, 12 gauge shotgun, bearing serial number M710004V,

- Stevens, model 67, 410 gauge shotgun, bearing serial number D209686,
- Mossberg, model 67, 410 gauge shotgun, bearing serial number P924468,
- Sears, 12 gauge shotgun, bearing serial number 2909101,
- Savage, Model B, 12 gauge shotgun, serial number unknown,
- Stevens, model 5100, 12 gauge shotgun, serial number unknown,
- Stevens, model 530A, 12 gauge shotgun, serial number unknown, and
- Sportsman, model Magnum, 12 gauge shotgun, bearing serial number W383858M; and

WHEREAS, by virtue of said Memorandum of Plea Agreement and the defendant's agreement therein, the United States is now entitled to possession of said property pursuant to 21 U.S.C. § 853;

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the Memorandum of Plea Agreement as to the defendant, Bruce Alan Smith, Jr., the United States is hereby authorized to seize the above-stated property, and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n), as allowed

by Fed. R. Crim. P. 32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order is now final as to the defendant.

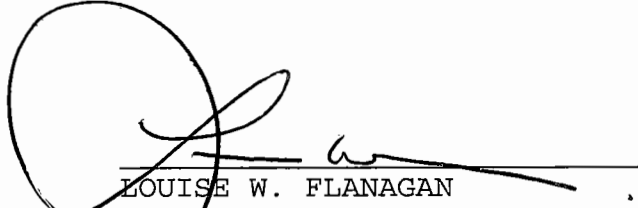
2. That upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is directed to incorporate a reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General or the Secretary of Treasury directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.

The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853, as required by Fed. R. Crim. P. 32.2(c)(2).

SO ORDERED. This 2^d day of November, 2016


LOUISE W. FLANAGAN
United States District Judge